

FILED BY *clg* D.C.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 AUG 19 PM 4: 37

FILED BY *ASH* D.C.

05 AUG 18 AM 9: 28

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS
Brenda Medrano, Administratrix of the
Estate of Rogelio Galvan aka Agustin
Fernando Martinez, Deceased, and as
Parent and Next Friend of Flor Carolina
Martinez Medrano, a Minor, and Jose
Ruben Lara Buendia,

Plaintiffs,

vs.

MCDR, Inc. and M. A. Mortenson
Company,

Defendants.

File No. 04-2425-BP

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

**STIPULATION AND MOTION TO
AMEND SCHEDULING ORDER**

MOTION GRANTED

W. Phoebe
U.S. MAGISTRATE JUDGE

August 19, 2005
DATE

STIPULATION AND MOTION

IT IS HEREBY STIPULATED AND AGREED by and between plaintiffs Brenda Medrano and Jose Ruben Lara Buendia ("Plaintiffs") and defendants M. A. Mortenson Company and MCDR, Inc. ("Defendants"), by their undersigned attorneys, that, to accommodate mediation to be held in Memphis between the parties on September 12, 2005, the deadlines established in the Court's Scheduling Order may be amended as noted below: A. **Factual Discovery:** All factual discovery (which is limited solely to the depositions presently noticed by Plaintiffs) shall be completed by October 7, 2005.

B. **Filing Dispositive Motions:** Dispositive motions shall be filed with the Court no later than October 21, 2005.

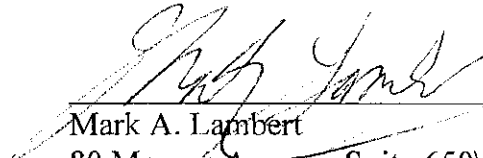
All other deadlines, including the date for trial, set by the Court in the Scheduling Order shall remain unchanged. The Parties so move the Court for Amendment to the Scheduling Order.

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on *8-22-05*

63

Dated: August 12, 2005

ALLEN, SUMMERS, SIMPSON, LILLIE
&
GRESHAM, PLLC

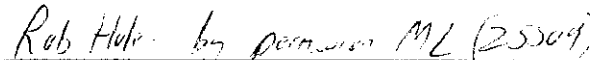

Mark A. Lambert
80 Monroe Avenue, Suite 650\
Memphis, TN 38103
901-763-4200

AND

David J. Goldstein (MN Bar No. 175572)
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901
(612) 766-7000
Attorneys for Defendant
M. A. Mortenson Company

Dated: August 12, 2005

GLANKLER BROWN, PLLC


Robert B. C. Hale (TN Bar No. 13261)

One Commerce Square - 17th Floor
Memphis, TN 38103-2566
(901) 525-1322
Attorney for Defendant
MCDR, Inc.

Dated: Aug 12, 2005

ROSENBLUM & REISMAN, P.C.

Jeff Rosenblum & Reisman (2005)
Jeffrey S. Rosenblum (TN Bar No. 13626)
Kirk A. Caraway (TN Bar No. 18578)

80 Monroe Avenue, Suite 950

Memphis, TN 38103

(901) 527-9600

Attorneys for Plaintiffs

**Brenda Medrano and Jose Ruben Lara
Buendia**

ORDER

Upon the foregoing Stipulation, **IT IS ORDERED THAT THE COURT'S SCHEUDLING ORDER IS AMENDED AS FOLLOWS:**

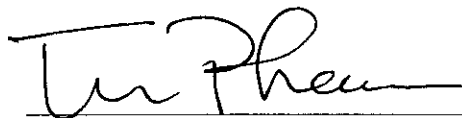
A. **Factual Discovery:** All factual discovery (which is limited solely to the depositions presently noticed by Plaintiffs) shall be completed by October 7, 2005.

B. **Filing Dispositive Motions:** Dispositive motions shall be filed with the Court no later than October 21, 2005.

All other deadlines, including the date for trial, set by the Court in the Scheduling Order shall remain unchanged.

BY THE COURT:

Dated: August 19, 2005

A handwritten signature in black ink, appearing to read 'Tu Pham', written over a horizontal line.

The Honorable Tu M. Pham
Magistrate Judge of U.S. District Court



Notice of Distribution

This notice confirms a copy of the document docketed as number 63 in case 2:04-CV-02425 was distributed by fax, mail, or direct printing on August 22, 2005 to the parties listed.

Kirk A. Caraway
ROSENBLUM & REISMAN
80 Monroe Ave.
Ste. 950
Memphis, TN 38103

Jeffrey S. Rosenblum
ROSENBLUM & REISMAN
80 Monroe Ave.
Ste. 560
Memphis, TN 38103

Robert B. Hale
GLANKLER BROWN, PLLC
One Commerce Square
Suite 1700
Memphis, TN 38103

David J. Goldstein
FAEGRE & BENSON LLP
90 S. Seventh St.
2200 Wells Fargo Center
Minneapolis, MN 55402--390

Mark Anthony Lambert
ALLEN SUMMERS SIMPSON LILLIE & GRESHAM, PLLC
80 Monroe Ave.
Ste. 650
Memphis, TN 38103--246

Ralph Noyes
LAW OFFICE OF RALPH NOYES
4087 Summer Ave.
Ste. 216
Memphis, TN 38122

Honorable J. Breen
US DISTRICT COURT